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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,691	09/12/2003	Yoshiharu Kanda	242649US2	7666
22850	7590	10/18/2005		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER MOONEY, MICHAEL P	
			ART UNIT	PAPER NUMBER
			2883	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/660,691

Applicant(s)

KANDA ET AL. 

Examiner

Michael P. Mooney

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 and 15-18 is/are allowed.
- 6) ☒ Claim(s) 9, 11, 12, 19, 21 and 22 is/are rejected.
- 7) ☒ Claim(s) 10, 13, 14, 20, 23 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/05, 3/04, 9/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9, 11, 12, 19, 21, 22 are rejected under 35 U.S.C. 102b as being anticipated by English Translation of Imada et al. (English Translation of JP 61 112106 A).

English Translation of Imada et al., herein referred to as "Imada et al.", teaches an optical fiber axial alignment device for axially aligning at least one pair of opposing optical fibers composed of bare optical fibers, optical fiber strands, unit cores or plural cores of optical fiber core wires, and tape shaped optical fiber core wires, the optical fiber axial alignment device comprising: a butt alignment section having at least one pair of butt alignment grooves formed apart from one another with a given distance in an opposing relationship on a substantially straight line (fig. 3); and optical fiber guide sections, each having at least one pair of guide grooves, and disposed on both sides of the butt alignment section to be moveable in a vertical direction (fig. 3; 1st full paragraph of p. 6).

Thus claim 9 is met.

Imada et al. teaches wherein the optical fiber guide section comprises at least one guide groove placed on substantially the same extension line that connects at least

one pair of the butt alignment grooves formed on the butt alignment section (fig. 3).

Thus claim 11 is met.

Imada et al. teaches wherein the guide groove has an opening portion that is wider than the butt alignment groove of the butt alignment section (fig. 3). Thus claim 12 is met.

Imada et al. teaches an optical fiber fusion splicing device for mutually fusion splicing at least one pair of opposing optical fibers composed of bare optical fibers, optical fiber strands, unit cores or plural cores of optical fiber core wires, and tape shaped optical fiber core wires, the optical fiber axial alignment device comprising: a butt alignment section having at least one pair of butt alignment grooves formed apart from one another with a given distance in an opposing relationship on a substantially straight line; and optical fiber guide sections, each having at least one guide groove, and located on both sides of the butt alignment section to be moveable in a vertical direction (fig. 3; 1st full paragraph of p. 6). Thus claim 19 is met

Imada et al. teaches wherein the optical fiber guide section comprises at least one guide groove placed on substantially the same extension line that connects the at least one pair of opposing butt alignment grooves formed on the butt alignment section (fig. 3). Thus claim 21 is met.

Imada et al. teaches wherein the guide groove has an opening portion that is wider than the butt alignment groove of the butt alignment section (fig. 3). Thus claim 22 is met.

Allowable Subject Matter

Claims 1-8, 15-18 are allowed.

Claims 10, 13-14, 20, 23-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art, either alone or in combination, does not disclose or render obvious the methods, at least one pair of fiber holder sections on both sides, plural pieces of optical fiber guide sections on both sides of the butt alignment section, or an image pickup means for detecting an aligned status of the fibers to produce a picture signal as stated in claims 1-8, 10, 13-14, 15-18, 20, 23, or 24.

It is noted that the said claims are allowable because the unique combination of each and every specific element stated in each respective claim.

Conclusion

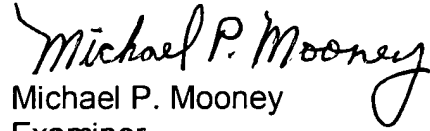
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Mooney whose telephone number is 571-272-2422. The examiner can normally be reached during weekdays, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2883

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-

1562.



Michael P. Mooney
Examiner
Art Unit 2883



Frank G. Font
Supervisory Patent Examiner
Art Unit 2883

FGF/mpm
10/15/05